



THE QUESTION OF PALESTINE

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**AD HOC COMMITTEE ON THE PALESTINIAN QUESTION
COMMUNICATION FROM THE UNITED KINGDOM DELEGATION TO
THE UNITED NATIONS**

The following letter has been received from the United Kingdom Delegation to the United Nations:

United Kingdom Delegation to the

United Nations, New York

18 August 1947

Sir:

I have the honour to forward to Your Excellency herewith a memorandum by His Majesty's Government in the United Kingdom entitled "Political History of Palestine under British Administration".

This memorandum constitutes His Majesty's Government's account of their administration of the league of Nations mandate in Palestine, and is sent to you in accordance with the undertaking given in my note of 2nd April,



issued as an Assembly document in connexion with Item 21 of the Provisional Agenda of the Second Regular Session of the General Assembly, which was circulated on the 18th July last.

I should call your attention to the fact that this memorandum has already been made available to the Special Committee on Palestine established by the Special Session of the General Assembly called at the request of the United Kingdom Government and which met on April 28th last. His Majesty's Government thought it advisable that the memorandum be communicated to the Special Committee since, as I had the honour to inform the Special Assembly, my Government wished to be entirely at the disposal of the Committee and to give it all the information that it might require.

I have the honour to be,

sir,

Your Excellency's obedient Servant,

(Signed) Alexander Cadogan

His Excellency

Monsieur Trygve Lie

Secretary-General

United Nations

lake Success, N.Y.

NOTE: Only a limited number of copies of the memorandum are available for distribution and they are attached hereto.

The Political History of Palestine under

British Administration

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Memorandum by

His Britannic Majesty's Government



to the United Nations Special Committee

on Palestine

Published at Jerusalem, 1947

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Establishment of British Administration

1. The territory now known as Palestine formed part of the Ottoman empire until it was occupied, in 1917-19, by British forces under the command of General Allenby. A military administration, under the title of Occupied Enemy Territory Administration, was established with headquarters in Jerusalem at the end of 1917.

2. It was decided at the Paris Peace Conference in 1919 that the mandates system, outlined in article 22 of the covenant of the League of Nations should be applied to the non-Turkish portions of the Ottoman Empire. The Mandate for Palestine was assigned to the United Kingdom by the Supreme Council of the Allied Powers at San Reno on the 25th April, 1920. Shortly afterwards, on the 1st July, 1920, the military regime was replaced by a civil administration under a High Commission. The northern frontier of Palestine was determined in accordance with an Anglo-French Convention of the 23rd December, 1920, and its eastern frontier by virtue of the recognition, in 1923, of the existence of an independent Government in Transjordan.

The Mandate

3. The principal obligations of the mandatory Power are defined in Article 2 of the Mandate, which reads as follows:

"The Mandatory shall be responsible for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish national home, as laid down in the preamble, and the development of self-governing institutions, and for safeguarding the civil and religious rights of all the inhabitants of Palestine, irrespective of race and religion."

This Article appears to give equal weight to three obligations: (i) the creation of conditions which would secure the establishment of the Jewish national home; (ii) the creation of conditions which would secure the development

4. Article 2, in speaking of the Jewish national home, refers back to the preamble, where the terms of the Balfour declaration of 1917 are recited as follows:

“Whereas the Principal Allied Powers have also agreed that the Mandatory should be responsible for putting into effect the declaration originally made on November 2nd, 1917, by the Government of His Britannic Majesty, and adopted by the said Powers, in favour of the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country”.

5. The preamble continues immediately with a statement which is not to be found in the Balfour Declaration:

“Whereas recognition has thereby been given to the historical connection of the Jewish people with Palestine and to the grounds for reconstituting their national home in that country.”

6. Article 6 of the Mandate defines more precisely certain of the Mandatory’s obligations arising from the intention of establishing a Jewish national home in Palestine. At the same time this Article repeats in broader terms the condition that the interests of the non-Jewish population should also be considered. Article 6 reads as follows:

“The Administration of Palestine, while ensuring that the rights and position of other sections of the population are not prejudiced, shall facilitates Jewish immigration under suitable conditions and shall encourage, in cooperation with the Jewish Agency referred to in Article 4, close settlement by Jews on the land, including State lands and waste lands not required for public purposes”.

Attitude of Arabs and Jews

8. When the first census was taken in 1922, Palestine had a population of 752,000. The Jewish community, already growing as a result of immigration, then numbered 84,000. The census was taken on a religious basis and consequently did not provide an exact enumeration of the Arab population as such. It is clear, however, that it amounted to about 650,000.

attitudes and aspirations of the local population was undertaken in 1919 by the American King-Crane Commission, sent by President Wilson to study conditions in the Turkish Empire with reference to possible mandates. Reporting on the situation in Palestine they said:

"The Peace Conference should not shut its eyes to the fact that the anti-Zionist feeling in Palestine and Syria is intense and not lightly to be flouted. No British officer, consulted by the commissioners, believed that the Zionist programme could be carried out except by forces of arms."

10. In April, 1920, five Jews were killed and over two hundred injured in the first outbreak of anti-Zionist Arab violence. A military committee of enquiry (the civil administration was not then established) found that the causes of the outbreak were: (a) the disappointment of the Arabs at the non-fulfilment of the promises of independence which they claimed had been given to them during the war of 1914-18; (b) the belief of the Arabs that the Balfour Declaration implied a denial of the right of self-determination, and their fear that the establishment of the Jewish national home would mean a great increase in Jewish immigration and would lead to their economic and political subjection to the Jews; and (c) the aggravation of these sentiments, on the one hand by propaganda from outside Palestine associated with the proclamation in Damascus of the Emir Feisal as King of a re-united Syrian and with the growth of pan-Arab and pan-Moslem ideas, and on the other hand by the activities of a Zionist Commission which was then in Palestine, supported by the resources and influence of Jews throughout the world.

11. A year later, in May 1921, more serious attacks were made by Arabs on the Jews of Jaffa and of five rural settlements. On this occasion 47 Jews were killed and 146 wounded. A commission of enquiry, headed by Sir Thomas Haycraft, reached the conclusion that:

"The fundamental cause of the Jaffa riots and the subsequent acts of violence was a feeling among the Arabs of discontent with, and hostility to, the Jews, due to political and economic causes, and connected with Jewish immigration, and with their conception of Zionist policy as derived from Jewish exponents."

12. Foremost among the exponents of Zionism at that time was Dr. Weizmann. When a Zionist delegation appeared at the Peace Conference in 1919, the American Secretary of State (Mr. Lansing) asked them exactly what was meant by the phrase, a Jewish national home. Dr. Weizmann answered him as follows:-

"The Zionist organization did not want an autonomous Jewish Government, but merely to establish in Palestine, under a mandatory Power, an administration not necessarily Jewish, which would render it possible to ~~send~~ into

would be as Jewish as the French nation was French and the British nation British. Later on, when the Jews formed the large majority, they would be ripe to establish such a Government as would answer to the state of the development of the country and to their ideals."

13. The King-Crane Commission, touring Palestine later in the same years, found that the Jewish colonists were similarly looking to a radical transformation of the country:

"The fact came out repeatedly in the Commission's conference with Jewish representatives, that the Zionists looked forward to a practically complete dispossession of the present non-Jewish inhabitants of Palestine, by various forms of purchase."

The White Paper of 1922

14. In view of these and other expressions of Zionist aims, and of the mounting evidence of Arab apprehension, His Majesty's government decided to issue an authoritative interpretation of the Balfour Declaration. This was contained in a statement of policy* which was communicated in June, 1922, both to the Zionist Organization and to a Palestine Arab delegation then in London. It reads, in part, as follows:

"Unauthorized statements have been made to the effect that the purpose in view is to create a wholly Jewish Palestine. Phrases have been used such as that Palestine is to become "as Jewish as England is English." His Majesty's Government regard any such expectation as impracticable and have no such aim in view. Nor have they at any time contemplated, as appears to be feared by the Arab delegation, the disappearance or the subordination of the Arabic population, language or culture in Palestine. They would draw attention of the fact that the terms of the Declaration referred to do not contemplate that Palestine as a whole should be converted into a Jewish national Home, but that such a Home should be founded in Palestine.

When it is asked what it meant by the development of the Jewish national Home in Palestine, it may be answered that it is not the imposition of a Jewish nationality upon the inhabitants of Palestine as a whole, but the further development of the existing Jewish community, with the assistance of Jews in other part parts of the world, in order that it may become a centre in which the Jewish people as a whole may take, on grounds of religion and race, an interest and a pride. But in order that this community should have the best prospect of free development and provide a full opportunity for the Jewish people to display its capacities, it is essential that it should know that it is in Palestine as of right and not on sufferance. That is the reason why  it is

This, then, is the interpretation which His Majesty's Government place upon the Declaration of 1917, and, so understood, the Secretary of State is of opinion that it does not contain or imply anything which need cause either alarm to the Arab population of Palestine or disappointment of the Jews.

For the fulfilment of this policy it is necessary that the Jewish community in Palestine should be able to increase its numbers by immigration. This immigration cannot be so great in volume as to exceed whatever may be the economic absorptive capacity of the country at the time to absorb new arrivals."

15. The Zionist Organization assured His Majesty's Government that their activities would be conducted in conformity with the policy laid down in the statement of June, 1922. The reception given to that statement by the Arabs was bound up with their attitude in discussions which were proceeding at the time on the subject of self-governing institutions.

The First Attempt to Create Self-Governing Institutions, 1922-23.

16. Shortly after the establishment of the civil administration, the High commissioner had formed a nominated Advisory Council, consisting of 10 British officials and 10 Palestinians (4 Moslem Arabs, 3 Christian Arabs and 3 Jews). Two years later, in August, 1922, an order-in-Council was issued providing for the creation of a Legislative Council. This body was to consist of the High commissioner and 22 other members, 10 official and 12 elected; of the elected members, 8 were to be Moslems, 2 Christians and 2 Jews.

17. A draft of the Order-in-Council had previously been communicated to a Palestine Arab delegation in London. The Delegation, while making various detailed criticisms of the proposals, at the same time declined to enter into discussions involving acceptance of the Balfour Declaration. They maintained that the proposals for a Legislative council were not in conformity with paragraph 4 of Article 22 of the Covenant of the League of Nations, according to which -

"Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone."

18. Replying to these observations, the Colonial Officer pointed out that paragraph 4 of Article 22 of the League Covenant had been interpreted by the Principal Allied Powers in the unratified Treaty of Sevres, where Syria and Iraq, but not Palestine, were explicitly said to have been "provisionally recognised" as independent States.

"There is no question," the Colonial Officer continued, "of treating the people of Palestine as less advanced than their neighbours in Iraq and Syria; the position is that His Majesty's Government are bound by a pledge which is antecedent to the Covenant of the League of Nations, and they cannot allow a constitutional position to develop in a country for which they have accepted responsibility to the Principal Allied Powers, which may make it impracticable to carry into effect a solemn undertaking given by themselves and their Allies....If your Delegation really represents the present attitude of the majority of the Arab population of Palestine, and Mr. Churchill (then Colonial Secretary) Has no grounds for suggesting that this is not the case, it is quite clear that the creation at this stage of a national government would preclude the fulfilment of the pledge made by the British government to the Jewish people. It follows that the principal Allied Powers, concerned as they were to ensure the fulfilment of a policy adopted before the Covenant was drafted, were ell advised in applying to Palestine a somewhat different interpretation of Paragraph 4 of Article 22 of the covenant than was applied to the neighbouring countries of Iraq and Syria."

19. This passage in the letter of the colonial Office was characterised by the Arab Delegation as

"the strongest proof that the Jewish National Home undertaking is the cause of depriving us of our natural right of establishing an independent government the same as Mesopotamia and the Hedjaz."

They also concluded from it that

"self-government will be granted as soon as the Jewish people in Palestine are sufficiently able through numbers and powers to benefit to the full by self-government, and not before."

20. Despite the unfavourable reception given by the Arabs to the proposal for a Legislative Council, elections were held early in 1923. The Arab leaders organised a boycott of the primary elections, with the result that only 107 Moslem secondary electors were chosen out of a possible total of 663, and only 19 Christians out of 59. The elections had failed in their object of producing an accurate reflection of the opinion of the whole

21. The High Commissioner wishing the Advisory Council to approximate as closely as possible to the abortive Legislative council, proposed to reconstitute it on the lines suggested for the latter body, that is to say with 10 officials and 8 Moslem, 2 Christians and 2 Jewish Palestinians. But of the 10 Arabs whom he nominated, 7 withdrew their acceptance under political pressure. The High Commissioner did not wish to replace them with men of less standing. It thus proved impossible to constitute a representative Advisory Council.

22. Later in 1923, a third attempt was made to establish an institution through which the Arab population of Palestine could be brought into cooperation with the government. The mandatory Power now proposed "the establishment of an Arab Agency in Palestine which will occupy a position exactly analogous to that accorded to the Jewish Agency". The Arab Agency would have the right to be consulted on all matters relating to immigration, on which it was recognised that "the views of the Arab community were entitled to special consideration". The Arab leaders declined that this offer on the ground that it would not satisfy the aspirations of the Arab people. They added that, never having recognised the status of the Jewish Agency, they had no desire for the establishment of an Arab Agency on the same basis.

"The British Government desired to establish a self-government in Palestine, but to proceed in this direction by stages.... It had been announced that the nominated Advisory Council was to be the first stage. The second stage would have been a Legislative Council without an Arab majority. If this worked satisfactorily, the third stage, after a lapse of perhaps same years, would have been a constitution on more democratic lines."

In practice it proved impossible even to initiate this policy of gradual constitutional development. From 1922 until the present day, the High Commissioner has governed Palestine with the aid of Councils consisting exclusively of British officials.

The Development of the Country, 1920-29

24. Palestine under Ottoman rule had been a poor and undeveloped country. It had suffered further impoverishment during the war of 1914-18, and the mandatory Administration was faced with a formidable task in the economic and social fields. The non-political activities of the Administration, and the general development of the country, will be briefly surveyed in three sections of the present memorandum, covering the periods 1920-29, 1929-36 and 1936-47.

seasonal roads. By 1930 these figures had been raised to 912 and 1,203 respectively. The railway system was extended, unified and renovated.

26. The Administration assisted the recovery of the Arab peasantry from the losses they had suffered during the war, and developed agricultural services designed to bring about a permanent improvement in their standard of living. Loans amounting to P.576,000 were advanced to cultivators in the four years 1919-23. A department of Agriculture and Forests was established; its expert staff promoted the use of improved farming methods, encouraged experiment with new crops and breeds, and in general stimulated a more profitable use of the land. The department also concerned itself with the restoration of Palestine's forces, being directly responsible for the planting of a million in the same period.

27. Perhaps the most striking progress, during these years, was made in the sphere of public health. Malaria, which was prevalent in all parts of the country before 1918, had by 1925 been eliminated from all the large towns except Haifa, and from the greater part of the countryside. The incidence of eye diseases also showed a sharp decline, largely as a result of the institution of a system of inspection and treatment in the primary schools. Other measures included the improvement of water supplies and the provision of infant welfare centres.

28. During the first school year following the establishment of civil administration (1920-21) there were 171 public Arab schools with 11,000 pupils, representing 7 per cent. of the Arab children of school age (i.e. of 5 to 14 years). In two years these figures were raised to 311 schools and 20,000 pupils and the percentage rose to 12, although the majority of the pupils did not remain at school for the full ten-years period.

29. The social and economic activities of Government Departments, while beneficial to the country as a whole, undoubtedly conferred greater advantages on the Arab than on the Jewish community. The Arabs formed the great majority of the population. They were both financially and by social tradition less well equipped to supply their own needs through voluntary services. And it was evident that the success of the Jewish National Home itself would very largely depend on closing the gap between its standard of living and that of the Arab population alongside which it was to grow.

30. Meanwhile the National Home was growing in size, was becoming stronger economically and was developing a distinctive cultural life. The following table shows the number of Jewish immigrants in each year between the beginning of the civil administration and the end of 1929:-



1922	7,844
1923	7,421
1924	12,856
1925	33,801
1926	13,081
1927	2,713
1928	2,178
1929	5,249
Total for ten-year period	
	99,806

It will be seen that Jewish immigration, after mounting to a peak of nearly 34,000 in 1925, fell sharply in the three following years. This decline was connected with an economic depression, reflected also in rising figures of Jewish emigration from Palestine. In 1926 the emigrants numbered over 7,000 and in 1927 emigrants exceeded immigrants by more than 2,000. In 1928, when the economic tide began to turn, there was a net Jewish immigration of only 10 persons. The economic setback which thus checked the increase of the Jewish population appears to have been due in part to the collapse of the Polish Zloty; one in every two Jewish immigrants came from Poland during this decade.

31. In 1920, the Palestinian land in Jewish ownership amounted to approximately 650,000 dunums. By the end of 1929 another 514,000 dunums had been added. In 1927 there were roughly 100 rural settlements on Jewish land, with a total population of some 28,000. Modern Jewish quarters were being developed in Jerusalem and Haifa, while Tel Aviv, which in 1914 was a village with 2,000 inhabitants, had a population of 30,000 in 1925. Small industries were springing up in the Jewish towns, and Mr. Rutenberg had obtained a concession for a hydroelectric station on the upper Jordan.

32. Education, in schools controlled by the Jewish community and financed from Jewish funds with a small Government subsidy, was almost universal. The Hebrew University, which is mainly financed by contribution from abroad, was opened in 1925 when the entire Jewish population amounted to only 120,000. One of the basic purposes of this educational system was the revival of Hebrew as a living language. In 1925 the first High Commissioner declared that

"Hebrew is now definitely established as the language of the Jewish population of Palestine. All the younger generation speak it and most of the older generation who have lived long in the country. It is the only

official languages of the country.”

33. At the end of the period under review, Palestine was still an overwhelmingly agricultural country. The most significant trend in export statistics was the growing importance of citrus fruits, of which 831,000 cases were exported in 1920-21 and 2,610,000 in 1929-30. In the latter year, rather more than 50 per cent of the citrus plantations were owned by Arabs.

34. During this decade the public revenue fluctuated between a minimum of P.1,676,000 (in 1923-24) and a maximum of P.2,809,000 in (1925-26). Viewing the period as a whole, there was a comfortable surplus of revenue over expenditure.

35. After the outbreak of 1921, the country enjoyed eight years of freedom from disturbance. By the end of 1926 the British garrison had been reduced to a single squad from of the Royal air Force and two companies of armoured cars.

The disorders of August 1929

36. In September, 1928, there occurred an incident, trivial in itself, which set up a chain of reactions the cumulative effect of which was to strengthen the element of religious feeling in the Moslem Arab attitude to the growth of the Jewish National Home. The centre of Moslem worship in Palestine, and one of the most sacred places of Islam, is a large rectangular area in the old city of Jerusalem known as the Haram-el-Sherif. The lower part of a section of the exterior wall bounding this area on the west is believed to be also the last surviving fragment of Herod's Temple, built on the site of the Temple of Solomon. As such, this wall, generally known as a the Wailing Wall, is a holy place to Jews, who have a long-established right of access to it for devotional purposes. the exercise of this right was strictly defined by custom, and the introduction of a screen to divide men from women during prayers on the Day of Atonement, in 1928, was at once denounced by the Moslems as an innovation. The removal of the screen by the policy gave rise in turn to complaints by Jewish authorities.

37. In a memorandum presented to the Administration a few days after this incident, the Supreme Moslem council declared their believe “that the Jews’ aim is to take possession of the Mosque of Al-Aqsa gradually, on the pretence that it is the Temple, by starting with the Western Wall of this place”. The National Council (Va’ad Leumi) of the Palestine Jewish community published an open letter to the Moslem community, emphatically denying any intention of encroaching on the rights of Moslems over their Holy Places. Nevertheless a “Society for the

38. At about this time the Jews protested against building operations which were being carried out, within the Haram area but overlooking the pavement in front of the Wailing Wall, and against other innovations in the neighbourhood of the Wall. These were followed by the formation of a "Pro-Wailing Wall community", under the presidency of a distinguished Jewish scholar, and by intemperate articles in the press of the Revisionists (the nationalist right wing of the Zionist movement).

39. On the 15th August, 1929, some hundreds of young Jews organised a demonstration at the Wailing Wall, in the course of which the Zionist flag was raised and the Zionist anthem sung. Incensed by this, the Moslems held a counter-demonstration at the same spot on the following day, when written prayers placed in the crevices of the wall by Jewish worshippers were taken out and burned.

40. there followed a week of extreme tension. Then, between the 23rd and the 29th August, murderous attacks were made by Arabs on Jews in Jerusalem, Hebron, Safad and in rural areas. In this outbreak 133 Jews were killed (over 60 at Hebron) and 339 wounded. Arab casualties, mostly inflicted by the troops or police, were 116 killed and 232 wounded.

41. As after the two previous outbreaks a Commission of Enquiry was formed, this time under the chairmanship of Sir Walter Shaw. In analysing the immediate causes of the Arab attack, the commission drew attention to another factor which, while less important than the controversy surrounding the Wailing Wall, had also contributed to the "dangerous combination of anger and fear" felt by the Arabs. This was the successful conclusion, at the Zionist Congress held in Zurich between the 28th July and the 11th August, of negotiations for the association of the Zionist Movement with its non-Zionist sympathisers in an enlarged Jewish Agency.

"It was common knowledge in Palestine that the Zurich the Zionist movement was likely to be reinforced by a strong body of wealthy non-Zionists, who were expected to provide for the further development of Zionist activities in Palestine. The news that this expectation had been realized would quickly spread and was, in our opinion, a cause of increased apprehension and alarm among all classes of Arabs."

41. The Shaw commission, however, did not accept these immediate causes of Arab apprehension as an adequate explanation of the events they were called upon investigate.

the fundamental cause of the outbreak of August last. In less than ten years three serious attacks have been made by Arabs on Jews. For eighty years before the first of these attacks there is no recorded instance of any similar incidents. It is obvious then that the relations between the two races during the past decade must have differed in some material respect from those which previously obtained. The Arabs have come to see in the Jewish immigrant not only a menace to their livelihood but a possible overlord of the future.

43. The following is a summary of the principal recommendations* made by the Shaw commission:-

(i) His Majesty's government should issue a clear statement of the policy they intend to pursue in Palestine. The value of this statement would be greatly enhanced if it defined the meaning they attached to the passages in the Mandate safeguarding the rights of non-Jewish communities, and if it laid down more explicit directives on such vital issues as land and immigration.

(ii) Immigration policy should be clearly defined, and its administration reviewed "with the object of preventing a repetition of the excessive immigration of 1925 and 1926" Machinery should be devised through which non-Jewish interests could be consulted on the subject of immigration.

(iii) A scientific enquiry should be made into the possibilities of land development in Palestine, having regard to "the certain natural increase in the present rural population." Meanwhile the "tendency towards the eviction of peasant cultivators from the land should be checked."

(iv) while making no formal recommendations on constitutional development, the commission observed that the difficulties of the administration were greatly aggravated by the absence of any measure of self-government.

44. On receiving this Report*, in March 1930, His Majesty's Government decided to appoint a highly qualified investigator to make a more detailed enquiry into the problems of immigration, land settlement and development. Sir John Hope-Simpson, who was chosen for this task, presented his Report** in August. Its conclusions, no less than those of the Shaw commission, influenced the terms of the statement of policy which was issued as a White Paper in October.

The White Paper of 1930

45. The statement of policy issued in October 1930+ began by pointing out that



the communities for whose benefit it is designed.”

His Majesty’s government then drew attention once again to the complex character of their obligations under the Mandate:

“Many of the misunderstandings which have unhappily arisen on both sides appear to be the result of a failure to appreciate the nature of the duty imposed upon His Majesty’s government by the terms of the Mandate. The next point, therefore, which His Majesty’s Government feel it necessary to emphasise, in the strongest manner possible, is that in the worlds of the Prime Minister’s statement in the House of Commons on the 3rd April last, “a double undertaking is involved, to the Jewish people on the one hand and to the non-Jewish population of Palestine on the other.”

Much of the agitation which has taken place during the past year seems to have arisen from a failure to realize the full import of this fundamental fact. Both Arabs and Jews have assailed the government with demands and reproaches based upon the false assumption that it was the duty of the His Majesty’s Government to execute policies from which they are, in fact, debarred by the explicit terms of the Mandate....

It must be realized, once and for all, that it is useless for Jewish leaders on the one hand to press His Majesty’s Government to conform their policy in regards, for example, to immigration and land, to the aspirations of the more uncompromising sections of Zionist opinion. That would be to ignore the equally important duty of the Mandatory Power towards the non-Jewish inhabitants of Palestine. On the other hand it is equally useless for Arab leaders to maintain their demands for a form of Constitution which would render it impossible for His Majesty’s Government to carry out, in the fullest sense, the double undertaking already referred to.”

46. In response to a suggestion made by the Shaw Commission, the statement emphasized the passage in the White Paper of 1922 declaring that the Jewish Agency was not entitled, by its special status under the Mandate, to share in the government of Palestine. It added that

“machinery must be provided to ensure that the essential interests of the non-Jewish sections of the Community should at the same time be fully safeguarded, and that adequate opportunity should be afforded for consultation with the Palestine Administration on matters affecting those interests.”

"that the time has now come when the important question of the establishment of a measure of self-government in Palestine must, in the interests of the community as a whole, be taken in hand without further delay."

It was accordingly intended that a second attempt should be made to set up a Legislative Council on the lines proposed in 1922. On this occasion steps would be taken to circumvent a boycott by any section of the population; if some of the 12 unofficial places were left vacant after the elections, they would be filled by nomination. His Majesty's Government commented.

"that had this Legislature been set up at the time when it was first contemplated the people of Palestine would by now have gained more experience of the working of constitutional machinery. Such experience is indispensable for any progress in constitutional development ."

48. Dealing next with the social economic problems surveyed by Sir John Hope-Simpson, the statement endorsed the latter's conclusion that

"at the present time and with the present methods of Arab cultivation there remains no margin of land available for agricultural settlement by new immigrants, with the exception of such undeveloped land as the various Jewish agencies hold in reserve."

It also cited Sir John Hope-Simpson's calculation that, if the whole cultivable area of the country were divided among the existing Arab cultivators, it would not provide them with an average holding sufficient to maintain a decent standard of life. In these circumstances, the duty of ensuring that the "rights and position" of the Arabs were not prejudiced could be reconciled with the duty of encouraging Jewish settlement only by means of methodical agricultural development."

"Only by a the adoption of such a policy will additional Jewish agricultural settlement be possible consistently with the conditions laid down in Article 6 of the Mandate. The result desired will not be obtained except by years of work. It is for this reason fortunate that the Jewish organisations are in possession of a large reserve of land not yet settled or developed. Their operations can continue without break, while more general steps of development, in the benefits of which Jews and Arabs can both share, are being worked out. During this period, however, the control of all disposition of land must of necessity rest

49. On the subject of immigration, His Majesty's Government stated that the capacity of the country to absorb new immigrants must be judged in relation to Arab as well as Jewish unemployment.

50. The White Paper concluded with a general statement of the need for a more positive economic and social policy, and with a renewed appeal for the cooperation of Arabs and Jews:

"The situation revealed by exhaustive examination of the various economic, political and social factors involved makes it clear that Palestine has reached a critical moment in its development. In the past it may be said that the Government has left economic and social forces to operate with the minimum interference or control, but it has become increasingly clear that such a policy can no longer continue. It is only the closest cooperation between the Government and the leaders of the Arab and Jewish communities that can prevent Palestine from drifting into a situation which would imperil, on the one hand, the devoted work of those who have sought to build up the Jewish National Home, and, on the other, the interests of the majority of the population."

51. Both the conclusions reached by Sir John Hope-Simpson and the decisions announced in the White Paper were challenged by the Zionists and by their supporters. Sir John Hope-Simpson's estimate of the total cultivable area was held to be open to question, and, in so far as it was too low, the calculations based upon it were thought to be unduly pessimistic. As for the White Paper, Dr. Weizmann declared that it was "inconsistent with the terms of the Mandate and in vital particulars marks the reversal of the policy hitherto followed by His Majesty's government in regard to the Jewish National Home." In protest he resigned his office of President of the Zionist Organization and the Jewish Agency.

52. In November, the mandatory Government invited members of the Jewish Agency to confer with them on this controversy. The outcome of the conversations was a letter addressed by the Prime Minister to Dr. Weizmann on the 13th February, 1931.. This letter, the Prime Minister said, "will fall to be read as the authoritative interpretation of the White Paper" on the matters with which it dealt. It contained, on the subject of the mandatory Power's obligations to the Jewish National Home, a number of positive statements which had not appeared in the White Paper. Among them were the following:

"The obligation to facilitate Jewish immigration and to encourage close settlement by Jews on the land remains a positive obligation of the Mandate, and it can be fulfilled without prejudice to the rights and position of

"The statement of policy of His Majesty's Government did not imply a prohibition of acquisition of additional land by Jews."

"His Majesty's Government did not prescribe and do not contemplate any stoppage or prohibition of Jewish immigration in any of its categories."

53. Thus interpreted, the statement of policy was more acceptable to the Zionists than it had seemed at first sight. The Arabs, however, regarded the Prime Minister's letter not as an interpretation of the previous White Paper but as a modification of it, resulting from the political pressure which Zionism was able to exert in London. The "Black Letter," as they called it, diminished their confidence in the mandatory Power.

54. In the discussion arising from the disorders of 1929, the Permanent Mandates Commission played its part. An extraordinary session was held in June, 1930, after the publication of the Shaw Report but before the issue of the White Paper. In the course of this session there was an exchange of views between two members of the commission which vividly illustrated the difficulty of interpreting the Palestine Mandate.

M. Rappard stated that "it was the duty of the mandatory Power to establish the National Jewish Home, and to develop self-governing institutions so far as was compatible with such establishment."

To this the Chairman (Marquis Theodoli) replied that "in considering the two parts of the mandate to which M. Rappard had referred, it was necessary to bear in mind the fundamental principle of all the mandates. The purpose of the mandates as described in Article 22 of the covenant was the development and welfare of the inhabitants of the mandated territory...In his view it was necessary to insist that the establishment of the National Home for the Jews must be made compatible with the introduction of autonomous institutions. That was the Arab view and it was consistent with the fundamental purpose of the mandate."

Mr. Rappard repeated his view that "the Mandatory must set up self-governing institutions in so far as their establishment was compatible with the establishment of the National Home for the Jews. The Chairman had reversed this proposition. Such a reversal, however, was unjustified, because the Arabs, if they were accorded complete self-government, would obviously ignore the obligation to establish a National Home for the Jews."

55. In its report to the council of the League of Nations, the Mandates Commission criticised the mandatory Government for not having concerned itself more actively with the social and economic development of the ^

56. In another part of their report, however, the Mandates Commission expressed the view that

“the resentment which caused the Arabs to commit these excesses was ultimately due to political disappointments which they attributed to the parties concerned in the mandate, and primarily to the British Government.”

The Development of the Country, 1929-1936

57. The need for economic development in Palestine was emphasised, in 1930, by the Permanent mandates Commission, by Sir John Hope-Simpson and by the Government of the mandatory Power. A Director of Development was appointed in the following year, and the Arab Executive and the Jewish Agency were each invited to nominate a representative to assist him in an advisory capacity. The Arab Executive declined to accept this invitation unless the Government would agree to their condition that development should not be based on the principles embodied in the Prime Minister's letter to Dr. Weizmann. The Jewish Agency declined in protest against a revision of the Protection of Cultivators' Ordinance, which in their view would hamper Jewish purchases of land. Another factor in the discouragement of plans for economic development under governmental guidance was the economic crisis in Great Britain.

58. Nevertheless, Palestine was at this time entering a period of rapid economic expansion, the more remarkable by contrast with the depression into which the world as a whole had plunged. The years 1930-35 saw the completion of some of Palestine's major capital developments. Haifa harbour was opened to traffic as a deep-water port in 1933. This was a governmental undertaking. Its importance was increased in 1935 by the opening of the Iraq Petroleum Company's pipe-line from Kirkuk, and in 1936 by the completion of an oil dock. Jewish enterprise was responsible for the formation of Palestine Potash Limited, which obtained a concession in 1930 for the extraction of chemicals from the dead Sea; and of the Palestine Electric corporation, whose hydroelectric power station in the Jordan Valley began to operate in 1932.

59. These were also the years in which the Jewish National Home experienced its most rapid growth. The following table shows the sharp rise in numbers of Jewish immigrants to the peak year of 1935:

1922	7,844
1923	7,421
1924	12,856
1925	33,801
1926	13,081
1927	2,713
1928	2,178
1929	5,249
Total for ten-year period	
	<u>99,806</u>

The increased scale of immigration was accompanied by a change in its character. The Jewish community in Germany, which had made a negligible contribution before 1933, provided 27 per cent of the total in 1936. The establishment of the Nazi regime in Germany thus had immediate repercussions in Palestine.

60. The total population of Palestine at the end of 1936 was approximately 1,300,000, the Jews being estimated at 384,000. The Arabs had also increased rapidly, mainly as a result of the cessation of the military conscription imposed on the country by the Ottoman Empire, the campaign against malaria and the improvement in health services generally. In absolute figures their increase more than equalled that of the Jewish population, but relatively the latter had risen from 13 per cent at the census of 1922 to nearly 30 per cent at the end of 1936.

61. The immigration of Jews into Palestine was accompanied by an impressive amount of Jewish capital, estimated at nearly P.80,000,000 by the end of 1936. This inflow of capital increased with the rising figures of immigration, and made its contribution to a striking expansion of Jewish activity in both agriculture and industry. The number of Jewish agricultural settlements rose from 96 in 1927 to 172 in 1936 and their total population from 28,000 to 87,000. The capital invested in Jewish industry rose from P.2,095,000 in 1930 to P.11,064,000 in 1937. The population of the all-Jewish city of Tel Aviv was nearing 150,000.

62. Despite the growing extent and diversity of industry, the importance of citrus fruits in Palestine's export trade continued to increase. The volume of citrus exports rose steadily from 2,600,000 cases in 1929-30 to 7,300,000 in 1934-35, falling in the next year to 5,900,000 but immediately resuming its rise to the peak figure of 15,300,000 in 1938-39. In the calendar year 1935, oranges, grapefruit and lemons constituted 84 per cent of Palestine's total exports.

P.5,770,000 in the financial year 1935-36. The statistics of foreign trade were equally significant. The value of imports increased from P.7,167,000 in 1929 to P.17,853,000 in 1935 and that of exports from P.1,554,000 to P.4,215,000 in the same years.

64. The impetus given to the country's economic development by Jewish immigration and by the influx of Jewish capital conferred certain benefits on the Arab community. The Government was able to expand its services, in the interest of the whole population, by means of revenue drawn in an increasing proportion from the Jewish taxpayer. And the Arab cultivator benefited from the expansion of the urban market for his produce. Nor could it be shown that the purchase of land by Jews had driven any appreciable number of Arab cultivators out of agriculture.

65. The Arabs were, nevertheless, apprehensive for their economic future. Their numbers were increasing rapidly, already there were signs of rural congestion in the hill villages, and the more fertile land in the plains, which might have been developed to absorb their excess population, was steadily passing into Jewish ownership.

66. The two communities remained economically distinct. the lack of fusion between the indigenous Arab and oriental Jewish population on the one hand, and the Jewish immigrants from Europe on the other, was strikingly illustrated by tables of comparative daily wages officially computed in 1935, from which the following is an extract:

Prevailing daily wages, in mils, for adult male labour

Agricultural work:	European	Asiatic
Ploughing	250—400	80—120
Orange-picking	220—225	120—200
Pasturage	200	80—100
Industrial work:		
Quarrymen, skilled	450—600	200—300
“ , unskilled	350—400	100—140
Masons, skilled	600—700	500—600
Building labourers	350—400	100—180
Government employment:		
Road asphalters	250—500	120—400
General labourers	120—400	70—200”

These discrepancies were due principally to inequalities in standards of living, but also in some degree to the fact that the Arabs had not developed a trade union organisation in any way comparable with the General Federation of Jewish Labour (Histadruth), which has a most powerful influence in the Jewish economic system.

67. There was an equally marked discrepancy in the educational opportunities available to the two communities. The government of Palestine made financial provision for Arab and Jewish education respectively, in proportions determined by the numbers of children of school age in the two communities. But, whereas the Arab schools were almost entirely dependent on public funds, the Jewish schools obtained no less than 85 per cent of their finances from other sources in 1935-36. As a result of this voluntary effort on the part of the Jewish community, elementary education was almost universal, and secondary education was well developed. In the Arab schools, on the other hand, the increase in accommodation was barely keeping pace with the growth of the population. In the school year 1936/37 there were 55,000 Arab boys and 22,300 Arab girls attending school. These figures represented 39 per cent and 17 per cent respectively of the Arab boys and girls aged 5 to 15 years inclusive.

68. The differing financial bases of the two educational systems found recognition in the arrangements made for their control. The Arab schools were under the direct administration of the department of Education. the Jewish schools were controlled by the Va'ad Leumi (General council of the Jewish community). Article 15 of the [Mandate](#),

watertight compartments. Its consequences were described by the Peel Commission in the following terms:

"From the age of three or four years, when children enter the kindergarten to be taught Hebrew if they do not know it already, pride in the past of Jewry and in the National Home as an exclusively and intensely Jewish achievement of the present is the dynamic centre-point of their whole intellectual development. The idea that they are to share their life in any way with the Arabs, that they are growing up to be fellow-citizens with Arabs in the common Palestinian State, is only recognised in the teaching of a little Arabic in the secondary schools; and that provision, excellent in itself, is wholly insufficient as long as the rest of the teaching is inspired by a purely Jewish rather than Palestinian objective."

"Though the Arab school system is a Government system its nationalist character is quite as marked as that of the non-Government Jewish system. The curriculum both in primary and secondary schools is mainly concerned with the Arabic language and Arab tradition. There is no teaching of Hebrew and little or none, of Jewish history."

Political History, 1931-1936

69. The increase in Jewish immigration from 1933 onwards was accompanied by an intensification of Arab political activity. In October, 1933, the Arab Executive proclaimed a general strike and organised a demonstration outside the Government Offices in Jerusalem. The demonstrators clashed with the police, and during the next few weeks other riots took place in Jaffa, Nablus, Haifa, and again in Jerusalem. In the course of these disorders, one policeman and 24 civilians were killed. The disturbances of 1933 differed from those of 1920, 1921 and 1929 in that they were directed not against the Jews but against the mandatory Government, which was accused of tilting the balance against the Arabs in its administration of the mandate.

70. In the following year, 1934, five Arab political parties were formed. In November, 1935, their leaders combined to submit to the High commissioner and memorandum demanding the establishment of democratic government, the prohibition of the transfer of Arab land to Jews, the immediate cessation of Jewish immigration and the formation of a competent committee to determine the absorptive capacity of the country and to lay down principles for the control of immigration.

71. Meanwhile the Administration was preparing for a renewed attempt to establish self-governing institutions in Palestine. Elections were held in all the municipalities following the enactment of a new Municipal Corporations Ordinance in January, 1934. At the end of 1935, the High Commissioner communicated to the Jewish and Arab leaders

	Elected	Nominated	Officials
Moslems	8	3	—
Jews	3	4	—
Christians	1	2	—
Representatives of commerce	—	2	—
Officials	—	—	5
Totals	12	11	5

The electorate would consist of Palestinian citizens not less than 25 years old, each community being left to decide whether or not women were to have the vote. The powers of the Council were to be the following:-

- (1) To debate on all Bills introduced by Government, to amend and to pass them for assent or dissent by the High commissioner;
- (2) To introduce Bills, except Money Bills, subject to the consent of the High Commissioner;
- (3) to consider and debate on the annual budget.
- (4) to propose any question of public interest for debate, provided that no vote for the expenditure of public money or the imposition of taxation may be proposed except by the direction of the High Commissioner, nor any resolution which, in the opinion of the High commissioner, is likely to endanger the public peace;
- (5) to ask questions of the Executive relative to the administration of government."

Any resolution calling in question the validity of the Mandate would be disallowed. Immigration quotes could be discussed and criticized, but their final determination would remain with the High commissioner. The High Commissioner would retain power to give effect to urgent legislation either when the Council was not sitting or after a failure of the Council to legislate.

72. This project was rejected as unacceptable by the Zionists. The Arabs, although critical of its details, were ready to discuss it. It was severely criticized in both Houses of Parliament, largely on the ground that the power it would give to the Arab majority in Palestine was inconsistent with the obligation assumed by the Mandatory

government from making concessions to the Arab point of view. At the beginning of April, 1936, the leaders of the five Arab parties were invited to send a delegation to London to discuss the question of constitutional reform. The invitation was accepted, but the conversations did not take place owing to the outbreak of disorder in Palestine later in the month.

73. The Arab rising in Palestine, which began in April, 1936, was influenced by the recent example of nationalist movements in neighbouring Arab countries. Rioting in Egypt during the autumn of 1935 had been followed by a declaration of the British government's willingness to negotiate an Anglo-Egyptian Treaty. And in January, 1936, a strike began in Syria which was not terminated until the French government announced their decision to negotiate an agreement for the termination of the Mandate.

The Arab Rebellion, 1936-1939

74. On the night of the 15th April, 1936, three Jews were killed by Arabs between Tulkarm and Nablus. On the following night two Arabs were killed near the Jewish town of Petah Tiqva. These murders led to disorders in Jaffa and Tel Aviv a few days later.

75. These incidents were immediately followed by the formation of Nations Committees in all the Arab towns and in the larger villages. On the 21st April, the leaders of the five Arab parties called a general strike. On the 25th they formed a Supreme Arab Committee, subsequently known as the Arab Higher Committee, under the presidency of the Mufti of Jerusalem. The Committee decreed that the strike should continue until Jewish immigration was suspended.

76. The strike was accompanied by widespread violence, which took various forms—destruction of Jewish property and sniping at Jewish settlements, sabotage of communications, sporadic shooting and bomb throwing in the towns. Most of this was the work of loosely organized bands based in the Judaeian hills, a country which they knew intimately and which did not lend itself to effective counter-measures by the military. These were also hampered by the sympathy of the population with the rebels, and the consequent difficulty in obtaining information.

77. Military reinforcements began to arrive in May, and by September there were two British divisions in the country. Towards the end of the that month the High Commissioner was empowered to establish military tribunals. The Government refused to offer any concession in return for the cessation of the strike and the restoration of order.

Arab Higher Committee published the text of identical letters from King Abdul Aziz-ibn Saud, King Ghazi of Iraq and the Amir Abdullah of Trans-Jordan, in which the three rulers announced their agreement.

“to call upon you to resolve for peace in order to save further shedding of blood. In doing this, we rely on the good intentions of our friend Great Britain, who has declared that she will do justice. You must be confident that we will continue our efforts to assist you.”

The strike was called off on the following day, and the country settled down to a period of relative tranquility.

79. Sporadic terrorism continued throughout the first nine months of 1937, developing in the late autumn into a second phase of the rebellion. the Acting District commissioner of Galilee and his police escort were fatally shot by Arab gunmen in Nazareth on the 26th September. Five days later Government announced that they

"found it necessary to institute action against certain persons whose activities have been prejudicial to the maintenance of public security in Palestine and who must therefore be regarded as morally responsible for the campaign of terrorism and murder.”

The Arab Higher Committee and the local Nations Committees were accordingly declared to be unlawful associations. The Mufti of Jerusalem was deprived of the office of President of the Supreme Moslem Council. And warrants were issued for the arrest of five members of the Higher Committee and of another Arab leader. One (Jamal Effendi Husseini) escaped and the five others were deported to the Seychelles. A few days later the Mufti left Jerusalem in disguise and went to the Lebanon.

80. From then until the end of the year, disorder again reached the level of April-October 1936. As compared with 240 attacks by bombs and firearms recorded during the first nine months of 1937, there were 198 in the last quarter. Military Courts, with power to pass sentence of death, were established in November. Casualties from gang or terrorist activities in 1937 totalled 97 killed and 1419 wounded.

81. The Arab rising continued through the first half of 1938, and reached its climax between July and November. Under the guidance of the exiled leaders in Syria and the Lebanon, arms and money were smuggled across the frontiers into Palestine. The guerrilla bands became more highly organised. Rebel courts were established for the trial of Arabs accused of disloyalty to the national cause, and many executions were carried out after trial by these illegal tribunals. The Assistant District commissioner at Jenin was murdered in August. In September, all police and Government buildings in Beer-Sheba were set on fire and destroyed.

addition it was estimated that 1,000 Arab insurgents were killed in actions with the military and police.

82. On the 12th September, the police force was placed under the operational control of the General Officer commanding the troops, and in the following month the powers and duties of the District Commissioners under the Defence Regulations were transferred to Military Commanders. In the course of 1938, the General Officer Commanding confirmed 54 death sentences passed by military tribunals.

83. The rising continued into 1939, but with diminishing vigour. Its decline seems to have been due in part to the waning enthusiasm of the Arab villagers, on whom had fallen much of the burden of maintaining the guerrillas, in part to the readiness of many Arabs to accept the policy formulated by the mandatory Power in the White Paper of May of that year (see below, paragraphs 102-111). The Jewish community, a section of which had begun in 1938 to execute reprisals against the Arabs, was correspondingly angered by the new policy. The publications of the White Paper was immediately followed by an outburst of Jewish violence, which continued until the second world war began in September.

The Royal Commission of 1936-1937

84. A Royal Commission, under the Chairmanship of Lord Peel, was appointed in August 1936 with the task of enquiring into the underlying causes of the disturbances and into the operation of the Mandate, and of making recommendations for the removal of any legitimate grievances felt by Jews or Arabs on account of the way in which the Mandate was being implemented. The Commission submitted its Report* in June, 1937.

85. On the first part of its terms of reference, the conclusions of the Commission were as follows:

We have no doubt as to what were 'the underlying causes of the disturbances' of last year. They were:-

(i) the desire of the Arabs for national independence.

(ii) Their hatred and fear of the establishment of the Jewish National Home.

We make the following comments on these two causes:-

(i) They were the same underlying causes as those which brought about the "disturbances" of 1920, 1921, 1929 and 1933.

growth of the National Home created a practical obstacle, and the only serious one, to the concession later of national independence. It was believed that its further growth might mean the political as well as economic subjection of the Arabs to the Jews, so that, if ultimately the Mandate should terminate and Palestine become independent, it would not be national independence in the Arab sense but self-governing by a Jewish majority.

(iii) They were the only "underlying" causes. All the other factors were complimentary or subsidiary aggravating the two causes or helping to determine the time at which the disturbances broke out.

The other factors may be summarized as follows:-

(i) The effect on Arab opinion in Palestine of the attainment of national independence first by Iraq, to a less complete extent by Trans-Jordan, then by Egypt and lastly, subject to a short delay, by Syria and the Lebanon. The weight of this factor has been augmented by close contact between Arabs in Palestine and Arabs in Syria, Iraq and Saudi Arabia and by the willingness shown by the Arab Rulers to do what they properly could to assist them.

(ii) The pressure on Palestine exerted by World Jewry in view of the sufferings and anxieties of the Jews in Central and Eastern Europe. The increase in this pressure from the beginning of 1933 onwards and the consequent high figures of Jewish immigration gravely accentuated Arab fears of Jewish domination over Palestine.

(iii) The inequality of opportunity enjoyed by Arabs and Jews respectively in putting their case before Your Majesty's Government, Parliament and public opinion in this country, and the Arab belief that the Jews can always get their way by means denied to the Arabs. Based in general on the status of the Jewish Agency both in Jerusalem and in London, this belief was greatly strengthened by the publications of Mr. Macdonald's letter to Dr. Weizmann in 1931 and by the debates in Parliament on the proposals for a Legislative Council early last year.

(iv) Associated with this last factor, the growth of Arab distrust, dating back to the time of the McMahon Pledge and the Balfour Declaration, in the ability, if not the will of Your Majesty's Government to carry out their promises.

(v) Arab alarm at the continued purchase of Arab land by Jews.

(vi) The intensive character of Jewish nationalism in Palestine; the "modernism" of many of the younger immigrants; the provocative language used by irresponsible Jew; and the intemperate tone of much of the Jewish as

(vii) The general uncertainty accentuated by the ambiguity of certain phrases in the Mandate, as to the ultimate intentions of the Mandatory Power. This uncertainty has aggravated all the difficulties of the situation, and in particular has (a) stimulated the Jewish desire to expand and consolidated their position in Palestine as quickly as may be, and (b) made it possible for the Arabs to interpret the conciliatory policy of the Palestine Government and the sympathetic attitude of some of its officials as showing that the British determination to implement the Balfour Declaration is not wholehearted.

86. The Commission gave careful consideration to the grievances of both Arabs and Jews against the mandatory Administration, and reached the conclusion that the principal concession demanded by each people could not legitimately be granted. Thus the commission wrote as follows on the Arab demand for self-government;-

"We are confronted with a paradoxical situation. The Arabs of Palestine, it has been admitted, are as fit to govern themselves as any organized and educated community in Europe or elsewhere. Yet, associated as they are under the Mandate, self-government is impracticable for both peoples. Nowhere, indeed, in all the fields in which the Mandatory operates is the deadlock so complete as in this last field. Nowhere is it more manifest that the Mandate cannot be fully and honourably implemented unless by some means or other the national antagonism between Arab and Jew can be composed. But it is the Mandate that created that antagonism and keeps it alive; and, as long as the Mandate exists, we cannot honestly hold out the expectation that either Arabs or Jews will be able to set aside their national hopes or fears and sink their differences in the common service of Palestine. The being so, real "self-governing institutions" cannot be developed nor can the Mandate ever terminate, without violating its obligations, general or specific. For at any given time there must be either an Arab or a Jewish majority in Palestine, and the government of an independent Palestine, freed from the Mandate, would have to be either an Arab or a Jewish government. In the latter event-assuming, we repeat, that the miracle of reconciliation has not happened and that politics are still conducted on lines of race the general obligation implicit in all Mandates that the people entrusted to Mandatory administration are to be enabled in course of time to "stand by themselves" would not have fulfilled. In the other event, the obligation in Article 2 "for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish National Home" would not have been discharged."

At the same time the commission, so far from endorsing the Zionist view that immigrants should be more freely admitted, reached the conclusion that "political, social psychological considerations", as well as economic absorptive capacity, should be taken into account when the rate of immigration was determined. They

87. The members of the Peel Commission were led by their diagnosis of the situation in Palestine to the conclusion that the obligations imposed upon the Mandatory by the terms of the Mandate were mutually irreconcilable.

"To put it in one sentence, we cannot-in Palestine as it now is-both concede the Arab claim to self-government and secure the establishment of the Jewish National Home."

88. In these circumstances the maintenance of the Mandate would mean the indefinite continuance of unrest and disturbance. The Commission therefore recommended that His Majesty's Government should take steps to terminate the Mandate and to partition the country in such a way as to create an independent Jewish State in the north and west, and to incorporate most of the remaining territory in Trans-Jordan.

"Manifestly", the Commission wrote, "the problem cannot be solved by giving either the Arabs or the Jews all they want. The answer to the question 'which of them in the end will govern Palestine?' must surely be 'Neither.' We do not think that any fair-minded statesman would suppose, now that the hope of harmony between the races has proved untenable, that Britain ought either to hand over to Arab rule 400,000 Jews, whose entry into Palestine has been for the most part facilitated by the British Government and approved by the League of Nations; or that, if the Jews should become a majority, a million or so of Arabs should be handed over to their rule. But, while neither race can justly rule all Palestine, we see no reason why, if it were practicable, each race should not rule part of it."

89. The Commission believed that partition on the lines they proposed, while demanding from both Arabs and Jews some sacrifice of their aspirations, would confer on each of them substantial advantages. A large part of the Arab population would obtain its independence, and would be finally delivered from the possibility of ultimate subjection to Jewish rule. The Jews, conversely, would be secured against the possibility of subjection to Arab rule, and would be free to determine their own rate of immigration. To both peoples partition would offer the prospect of peace. "it is surely worth some sacrifice on both sides if the quarrel which the Mandate started could be ended with its termination."

90. While not intending that the principle of partition should stand or fall with their specific proposals, the commissioners submitted a map on which the whole of Galilee, the Plain of Esdraelon, and the Maritime Plain as far as a point about ten miles south of Rehovoth, were allocated to the Jewish State. The greater part of Palestine to

91. His Majesty's Government issued, simultaneously with the Report of the Royal Commission, a statement of policy in which they announced that:

"The present Mandate became almost unworkable once it was publicly declared to be so by a British Royal commission speaking with the twofold authority conferred on it by its impartiality and its unanimity, and by the Government of the Mandatory Power itself."

The Mandates Commission therefore advised that the British government should be empowered to explore the possibility of a "new territorial solution". They considered, however, that it would be unwise to establish two independent states without a further period of mandatory supervision. They therefore recommended that, if the policy of partition was adopted, the Jewish and Arab States should remain under a transitional mandatory regime, either as separate entities or in some form of provisional federation, until they had given sufficient proof of their ability to govern themselves.

94. The League Council adopted, on the 16th September a resolution authorising the Mandatory to prepare a detailed plan for the new proposal until this plan had been submitted.

The Partition Commission, 1938

95. In accordance with the League Council's resolution, a technical Commission was appointed in February, 1938, under the chairmanship of Sir Johann Woodhead. The following is an extract from its terms of reference:-

"Taking into account the plan of partition outlined in Part III of the Report of the Royal Commission, but with full liberty to suggest modifications of that plan, including variation of the areas recommended for retention under British Mandate,

And taking into account any representations of the communities in Palestine and Trans-Jordan -

(i) to recommend boundaries for the proposed Arab and Jewish areas and the enclaves to be retained permanently or temporarily under British Mandate which will -

(b) necessitate the inclusion of the fewest possible Arabs and Arab enterprises in the Jewish area and vice versa; and

(c) enable His Majesty's Government to carry out the Mandatory responsibilities the assumption of which is recommended in the Report of the Royal Commission, including the obligations imposed by Article 28 of the Mandate as regards the Holy Places,"

96. The Woodhead Commission arrived in Palestine on the 27th April and left on the 3rd August. They found that the Jewish State contemplated by the Peel Commission, after certain modifications of the proposed frontier which its security would necessitate, would contain an Arab minority amounting to 49 per cent of the total population. The Royal commission, they pointed out,

"recognised that the existence of a large Arab minority in the proposal Jewish State would prove a most serious hindrance to the smooth and successful operation of partition, and they contemplated that the problem created by this large Arab minority should be solved by the transfer to the Arab State of the greater part of the Arabs constituting that minority. It does not seem too much to say that the successful solution of this problem was a fundamental assumption in their plan, that, if it should appear that no such solution can be found, the greater part of the case on which their plan rests falls to the ground. In our opinion it is impossible to provide, by voluntary exchange or transfer, for the removal of any but a small fraction of the Arab minority in the Jewish State."

They therefore rejected this proposal, and examined other possibilities. The Chairman and one of the other three Commissioners eventually recommended a plan which would have confined the Jewish State to a strip of territory in the northern part of the Maritime Plain, approximately 75 kilometres in length but intersected by an Arab enclave at Jaffa and the corridor connecting the mandated territory of Jerusalem with the sea. Under this plan, the additional areas in the north which the Peel Commission would have allocated to the Jewish State were not to pass under Arab rule. They would agree on their final destination, which might involve either fusion with the Arab or the Jewish State or the establishment of the third independent State. A similar mandatory regime was to be established in the south, over an area roughly corresponding to the sub-district of Beer-Sheba. The plan also embodied the Royal Commission's recommendation for a Jerusalem enclave under British administration.

Jerusalem enclave. Even in this restricted area, independence would not be unqualified. for the two commissioners recommended, as an essential feature of their plan, a customs union between the three administrations (Arab, Jewish and Mandatory). They proposed that the tariff policy of the union should be determined by the Mandatory after consultation with Arab and Jewish representatives. Thus the two independent States envisaged by the Royal commission would be reduced both in territory and in sovereignty.

98. Of the two other members of the Woodhead Commission, one recommended the addition to the proposed Jewish State of the valleys of Esdrealon and Jezreel, with lakes Huleh and Tiberias, thus leaving the hills of Galilee outside but encircled by the Jewish territory

99. In a White Paper* issued simultaneously with the Report of the Partition Commission, His Majesty's government announced that they

"have reached the conclusion that this further examination has shown that the political, administrative and financial difficulties involved in the proposal to create independent, Arab and Jewish States inside Palestine are so great that this solution of the problem is impracticable."

They announced their intention of convening a conference in London, at which they would seek to reach agreement with Arab and Jewish representatives on an alternative means of overcoming the difficulties described by the Royal commission.

100. The London conference was attended on the one side by representatives of the Arabs of Palestine and of the governments of Egypt, Iraq, Saudi Arabia and Yemen, on the other by the Jewish Agency for Palestine, which associated with its delegation a number of representatives of Jewish opinion outside the ranks of the Agency itself. Since the Arabs maintained their refusal to recognise the Jewish Agency, it was necessary to organise two separate conferences, one Anglo-Arab and the other Anglo-Jewish. The conversations lasted from the 7th February until the 15th March. The British Delegation presented proposals similar to those which were subsequently published in the White Paper of May, 1939. They were rejected by the Jews in principle; to the Arabs they represented an acceptable basis for discussion, but no agreement was reached.

101. At the Anglo-Arab conference it was found necessary to enquire into the bearing on the Palestine situation of an exchange of letters which had taken place in 1915-16 between Sir Henry McMahon, High Commissioner in Cairo, and the Sherif Hussein of Mecca**. The Arab delegates maintained that Palestine was one of the Arab countries the

unable to accept this view.

The White Paper of May 1939*

102. The statement of policy issued by His Majesty's government in May 1939, was intended to put an end to uncertainty as to the objectives of their policy in Palestine, and to prepare the way for the termination of the Mandate. The statement opened with a clear definition of the attitude of His Majesty's government towards the maximum claims of both Arabs and Jews. Thus, after quoting the interpretation of the Balfour Declaration contained in the White Paper of 1922, they "now declare unequivocally that it is not part of their policy that Palestine should become a Jewish State."

At the same time they maintained their rejection of the Arab contention that they were pledged, by undertakings given during the war of 1914-18, to grant independence to the Arab population of Palestine:-

"They cannot agree that the McMahon correspondence forms a just basis for the claim that Palestine should be converted into an Arab State."

103. The objective of His Majesty's Government was then stated to be

"the establishment within ten years of an independent Palestine State....in which Arabs and Jews share in government in such a way as to ensure that the essential interests of each community are safeguarded."

104. Before such a State could be established, a period of transition would be necessary in which the mandatory would attempt to improve relations between the two communities and to build up the machinery of self-government. During this period, Palestinians, Arabs and Jews, would be placed in charge of the Departments of Government approximately in proportion to their respective population and introduced into the Executive Council. The hope was expressed that it might prove possible to establish an elective legislature. And at the end of five years "an appropriate body representative of the people of Palestine and of His Majesty's Government" would make recommendations for the constitution of the future independent State. The period of transition would be designed to terminate in ten years. But:

"If at the end of ten years, it appears to His Majesty's Government that, contrary to their hope, circumstances require the postponement of the establishment of the independent State, they will consult with

postponement is unavoidable, they will invite the cooperation of these parties in framing plans for the future with a view to achieving the desired objective at the earliest possible date.”

105. Nothing was said in the White Paper on the constitution of the independent State, beyond the general principle that it must enable Arabs and Jews to share in government in such a way that the essential interests of each were safeguarded. The colonial Secretary, when he subsequently appeared before the Permanent Mandates commission, indicated two possible means through which effect might be given to this principle in the future constitution. There might, he suggested, be a federal system with equal representation in the central institutions for an Arab province and a Jewish province. Or, if the State was constructed on a unitary and not a federal basis, the constitution might provide that, on matters of importance, no decision could be taken unless a majority of the Arab and a majority of the Jewish members of the legislature were in agreement.

106. It was provided in the White Paper that the independent State should enter into treaty relations with the United Kingdom.

107. The statement of policy next dealt with the subject of Jewish immigration:-

“In the view of the Royal commission, the association of the policy of the Balfour Declaration with the Mandate system implied the belief that Arab hostility to the former would sooner or later be overcome. It has been the hope of British governments ever since the Balfour Declaration was issued that in time the Arab population, recognising the advantages to be derived from Jewish settlement and development in Palestine, would become reconciled to the further growth of the Jewish National Home. This hope has not been fulfilled. The alternatives before His Majesty’s Government are either (i) to seek to expand the Jewish National Home indefinitely by immigration, against the strongly expressed will of the Arab people of the country; or (ii) to permit further expansion of the Jewish National Home by immigration only if the Arabs are prepared to acquiesce in it. The former policy means rule by force. Apart from other considerations, such a policy seems to His Majesty’s government to be contrary to the whole spirit of Article 22 of the Covenant of the League of Nations, as well as to their specific obligations to the Arabs in the Palestine Mandate. Moreover, the relations between the Arabs and the Jews in Palestine must be based sooner or later on mutual tolerance and goodwill; the peace, security and progress of the Jewish National Home itself require this. Therefore His Majesty’s government, after earnest consideration, and taking into account the extent to which the growth of the Jewish national Home has been facilitated over the last twenty years, have decided that the time has come to adopt in principle the second of the alternatives referred to above.”

Palestine are prepared to acquiesce in it."

108. The last section of the White Paper dealt with the transfer of land from Arab to Jewish ownership.

"The Administration of Palestine is required, under Article 6 of the Mandate, "while ensuring that the rights and position of other sections of the population are not prejudiced", to encourage "close settlement by Jews on the Land", and no restriction has been imposed hitherto on the transfer of land from Arabs to Jews. The Reports of several expert Commissions have indicated, that, owing to the natural growth of the Arab population and the steady sale in recent years of Arab Land to Jews, there is now in certain areas no room for further transfers of Arab land whilst in some other areas transfers of land must be restricted if Arab cultivators are to maintain their existing standard of life and a considerable landless Arab population is not soon to be created. In these circumstances, the High commissioner will be given general powers to prohibit and regulate transfers of land. These powers will date from the publication of this statement of Policy and the High commissioner will retain them throughout the transitional period."

109. The policy expounded in the White Paper was bitterly condemned by all Zionist opinion. The Zionist Congress of 1939 denied its moral and legal validity, and declared that the Jewish people would not acquiesce in the reduction of its status in Palestine to that of a minority. The Arabs criticised the length of the period of transition, the provision for its possible prolongation, and the proposal that representatives of the mandatory Power should participate in framing the constitution of the independent State. nevertheless there were signs that the Arabs would, in practice, be ready to acquiesce in the application of the new policy.

110. The Mandatory's new statement of policy was examined by the Permanent Mandates Commission at their thirty-sixth session in June, 1939. the commission reported that:

"the policy set out in the White Paper was not in accordance with the interpretation which, in agreement with the Mandatory Power and the Council, the Commission had always placed upon the Palestine Mandate."

They went on to consider whether the Mandate was open to a new interpretation with which the White Paper would not be at variance. Four of the seven members

"did not feel able to state that the policy of the White Paper was in conformity with the Mandate, any contrary conclusion appearing to them to be ruled out by the very terms of the Mandate and by the fundamental

The other three members "were unable to share this opinion; they consider that existing circumstances would justify the policy of the White Paper, provided the Council did not oppose it."

111. It was the intention of His Majesty's government to seek the approval of the League Council for their new policy. This, however, they were prevented from doing by the outbreak of war in September.

Palestine during and after the Second World War

112. Acts of terrorism committed by Jews ceased altogether with the outbreak of war, and the armed Arab bands melted away before the end of the year. The Jewish Agency called on the Jewish community to offer its full assistance to the mandatory Power, and similar appeals were made in the Arabic press. In the course of the war the Jews provided 27,000 recruits for the British services, and the Arabs 12,000. A Jewish Brigade Group was formed in 1944.

113. In February, 1940, the government promulgated land Transfers Regulations under which the country was divided into three zones. In the largest of these zones, all transfers of land to persons other than Palestinian Arabs were prohibited, except, where certain specific conditions obtain, with the permission of the High commissioner. In the second zone, Palestinian Arabs were forbidden to transfer their land except to another Palestinian Arab or with the specific approval of the High commissioner. No restrictions were placed upon the transfer of land in a third and smaller zone, including a considerable part of the coastal plain and all municipal areas. these Regulations gave effect to the land clauses of the 1939 White Paper. It is to be noted, however, that a similar Regulation had been drafted before that statement of policy was prepared with the object of replacing the earlier and defective legislation for the protection of cultivators.

114. When the five-year period of continuing Jewish immigration contemplated in the White Paper came to an end in the spring of 1944, the 75,000 certificates had not all been utilised; this was due to the difficulties in the way of escape from Hitler's Europe. It was decided that it would be inequitable in these circumstances to withhold the residue of 24,000 certificates, the time limit of which was accordingly waived. From the 1st October, 1944, a monthly rate of Jewish immigration was fixed at the figure of 1,500. When the 75,000 certificates were finally exhausted, at the end of 1945, it was decided that this Committee of Inquiry, which was then starting its work. Jewish immigration is still proceeding at this rate.

than ever imperative that the Administration should resist this threat to its authority, since the shiploads of refugees came from inside Axis-controlled Europe and offered an opportunity for the infiltration of enemy agents. In November, 1940, it was decided that illegal immigrants would be deported to an alternative place of refuge in the Colonial Empire. The first contingent of deportees under this policy was assembled on board the s.s. PATRIA in Haifa harbour. The PATRIA, however, was scuttled at her moorings of the 25th November, as a result of sabotage by Jewish sympathisers ashore, with the loss of 252 lives. Numbers of illegal immigrants were subsequently deported to Mauritius; they were admitted to Palestine in 1945 and an equivalent number was deducted from the quota provided for the White Paper.

116. In a statement of immigration policy issued on the 30th January, 1946, the High Commissioner announced that, within the interim quota of 1,500 a month:

"Preference will be given to those European Jews who have a special claim, such as those to whom the Palestine government have already undertaken obligations, and relatives in Europe of Jews already established in Palestine. Illegal immigrants will of course continue to be deducted from quotas."

The intensification of the traffic in illegal immigrants, which was resumed on substantial scale towards the end of 1945, made it impossible for the Administration fully to apply its system of preferential categories. In the period between the 15th December, 1945, and the 14th March, 1947, no less than 13,989 illegal Jewish immigrants* were permitted to settle in Palestine; an equivalent number was accordingly deducted from the quotas.

117. In the summer of 1946 the inflow of illegal immigrants reached such dimensions that it was no longer possible to accommodate them in camps in Palestine. It was therefore decided, in August, that future shiploads would be transferred on arrival to British ships and taken to camps in Cyprus. Since December 1946, the monthly quota has been allocated as follows: 50 per cent to the illegal immigrants in Cyprus; of the remaining 750 certificates, approximately 100 allotted to meet statutory obligations and to cover illegal immigrants in Palestine not previously debited to quotas, while the balance is divided equally between the relatives of Palestinian residents and Jews in camps for displaced persons in the British Zone of Germany.

118. The lull in terrorist activity did not continue throughout the war years. The Jewish community resented the Land Transfers Regulations and the measures taken against unauthorised immigration. In 1942, a small group of Zionist extremists, led by Abraham Stern, came into prominence with a series of politically motivated murders and

British forces in the Middle East. In August, 1944, the High commissioner narrowly escaped death in an ambush outside Jerusalem. three months later, on the 6th November, the British Minister of State in the Middle East. (Lord Moyne was assassinated in Cairo by two members of the Stern group. A third illegal Jewish organization, the Irgun Zvai Leumi, was responsible for much destruction of Government property during 1944. The outrages perpetrated by the Stern group and the Irgun Zvai Leumi were condemned by the official spokesmen of the Jewish community.

119. During the early months of 1945 security conditions generally were better than for some time past. A declaration in May by the Irgun Zvai Leumi to the effect that V-day for the world would be D-day for them was, however, the prelude to a series of outrages of increasing scope and intensity, culminating in a country wide attack on communications on June 16th, 1946, in which Hagana played a principal part. Damage caused by terrorist actin on 10th, 16th and 17th June was estimated at P.300,000. Orders were then given to implement the plan directed against the whole network of illegal armed organisations. Action included the arrest of a number of Jewish leaders, some of them members of the Executive of the Jewish Agency, who were known to have been personally implicated in the organisation of acts of violence in Palestine*.

120. On the 22nd July, the campaign conducted by terrorist organisations reached a new climax with an explosion which wrecked a wing of the King David Hotel in Jerusalem, containing the offices of the government Secretariat as well as part of military headquarters, and killed 86 public servants, Arab, Jewish and British, as well as five members of the public. Later terrorist activities have included the kidnapping of a British judge and of British officers, sabotage of the railway system and of oil installations at Haifa, and the blowing up of a British community as threatened, non-essential British civilians and military families were evacuated from Palestine and the remaining members of the British community were concentrated in security zones at the beginning of February, 1947. In the same month "statutory martial law" was imposed for a limited period on an area of the Lydda district comprising Tel Aviv (with the Jewish quarters of Jaffa), Ramat Gan, Benei Braq and Petah Tiqva, as well as on an area of Jerusalem predominantly inhabited to Jews.

121. The war gave rise to inflationary conditions in Palestine. The volume of currency in circulation increased from P.5,509,134 at the end of 1938 to P.38,438,141 at the end of 1945. Public revenue, for the year 1946-47, reached the figure of P.25,429,000. Imports and exports in 1946 totalled P.70,431,829 and P.24,484,872 respectively.

routes and the large measure of autarchy which was consequently imposed on the Middle Eastern area. Various new industries were developed in Palestine, agricultural production was abnormally stimulated, and both communities benefited from the resulting prosperity. The negative effects of the dislocation caused by the war were felt principally in the citrus industry. In 1942-43 citrus exports fell to less than 5,000 cases, as compared with more than 15,000,000 in 1938-39. The citrus groves, however, were, for the most part, kept in good condition with the aid of Government loans, and the industry is now recovering its markets. During the war years, diamonds, cut and polished in Palestine, replaced citrus fruits as the country's most valuable export. This all-Jewish industry, first established in Palestine in 1939, produced exports to the value of nearly P.6,000,000 in 1945.

122. The total settled population of Palestine is now approximately 1,887,000, the Jews being estimated at 625,000. The numbers of Jewish immigrants entering Palestine from 1937 to 1946 (including illegal immigrants debited to quotas) are shown in the following table:-

1937	...	...	10,536
1938	...	...	12,868
1939	...	...	27,561
1940	...	...	10,445
1941	...	...	3,839
1942	...	...	3,581
1943	...	...	8,558
1944	...	...	14,491
1945	...	...	13,156
1946	...	...	17,761
Total for ten-year period...			<u>122,796</u>

Despite the smaller volume of immigration, the Jewish National Home continued to expand. By the end of 1944, the number of Jewish agricultural settlements had risen to 259, with a total population of 138,000. A year earlier, the capital invested in Jewish amounted to P.20,523,000. It was calculated that the Jewish community paid approximately 63 per cent of all the taxation collected by the Palestine Government in 1944-45.

123. Meanwhile the Arab standard of life continued to improve. This was best demonstrated by the continuing decline of mortality, owing to greater prosperity and increasing medical facilities. The mortality rate of the Palestine Moslems fell by 38 per cent between 1927-29 and 1942-44, with the result that the average expectation of

girls attending school. These formed 57 per cent and 23 per cent respectively of the Arab boys and girls in the age group 5 to 14 years. (for comparative figures of earlier periods see paragraphs 28 and 67).

The Arab economy remained preponderantly agricultural, and the Administration continued to give every possible encouragement to the efforts of the Arab farmers to increase the productivity of their land. These efforts were largely directed to a greater diversification of crops. In 1921, winter crops (cereals and fodder) accounted for 71 per cent of Palestine's total agricultural production, other than citrus fruits. The more profitable summer crops (including millet but consisting principally of fruit, vegetables and olives) rose from 29 per cent of total production in 1921 to 67 per cent in 1942. The greater part of this transformation has taken place on the Arab farms. In addition, the proportion of the citrus-growing area in Arab hands, after falling below 50 per cent in the early thirties, has again risen above that proportion. The Arab cultivators shared in the general prosperity brought about by the war, and have undoubtedly freed themselves from much of the debt which burdened them previously. Nevertheless, the Arabs still lag far behind the Jews in income per head, in industrial development and in the extent of social services available to them.

124. In the exceptional conditions created by the war, Palestine become an important source of supply for a wide range of commodities required for both civil and military consumption in the Middle East. New industries were introduced, and exports of manufactured goods, other than petroleum products, increased from P.983,000 in 1944. This development was assisted by the supply shortages and difficulties of access which tended to cut off Palestine and neighbouring countries from their pre-war sources of supply in Europe and America. Palestine's exports to other Middle Eastern countries consequently rose in value from P.518,000 in 1939 to P.8,718,000 in 1944; they represented 60 per cent of total exports in 1944 as compared with only 10 per cent in 1939. The economic future of Palestine, while not wholly or even largely dependent on economic relations with the Arab States, must to some extent be influenced by the degree to which she can maintain her position as an exporter of manufactured goods to the other Middle Eastern countries in the face of normal competition, unless a decline in that trade can be compensated by success in entering other markets. so far as the Arab States are concerned, the question is not purely economic. A boycott on Palestinian Jewish goods, decreed by the Council of the Arab league in December, 1945, was put into force by the member States in New York. Mainly from this cause, and partly on account of the reopening of pre-war trade routes, Palestine's exports to the independent Arab countries declined in 1946 to approximately 33 per cent of their value in the previous year, while imports into Palestine from Arab countries increased by 10% in 1946 as compared with imports in 1945. However, total export trade, which had steadily expanded since 1941, showed a further increase in 1946, owing largely to the recovery of markets for citrus fruit.

126. When the second World War came to an end in 1945, it was not possible for the mandatory Power to give full effect to the policy set out in the White Paper of 1939. The League of Nations, to which that document was to have been submitted for approval, no longer existed. And the tragic fate of the Jewish people in Europe had created a demand that the Palestine problem should be examined again in relation to the needs of the survivors of racial persecution.

127. This demand was strong in the United States. In August, 1945, President Truman wrote to Mr. Attlee suggesting that the concession of 100,000 immigration certificates for Palestine would be an important contribution to the settlement of displaced European Jews.

128. His Majesty's government could not adopt this proposal, which would have involved taking a major decision on policy in Palestine before the future of that country had been fully reconsidered in the light of post-war circumstances. They accordingly obtained the agreement of the United States Government to the appointment of an Anglo-American Committee of Inquiry, with the following terms of reference:-

1. To EXAMINE POLITICAL, economic and social conditions in Palestine as they bear upon the problem of Jewish immigration and settlement therein and the well-being of the peoples now living therein.
2. TO EXAMINE THE POSITION of the Jews in those countries in Europe where they have been the victims of Nazi and Fascist persecution, and the practical measures taken or contemplated to be taken in those countries to enable them to live free from discrimination and oppression and to make estimates of those who wish or will be impelled by their conditions to migrate to Palestine or other countries outside Europe.
3. TO HEAR THE VIEWS of competent witnesses and to consult representative Arabs and Jews on the problems of Palestine as such problems are affected by conditions subject to examination under paragraph 1 and paragraph 2 above and by other relevant facts and circumstances, and to make recommendations to His Majesty's Government and the government of the United States for an interim handling of these problems as well as for their permanent solution.
4. TO MAKE SUCH OTHER recommendations to His Majesty's government and the Government of the United States as may be necessary to meet the immediate needs arising from conditions subject to examination under paragraph 2 above, by remedial action in the European countries in question or by the provision of facilities for emigration to and settlement in countries outside Europe.

The committee recommended that the constitutional future of Palestine should be based on three principles:-

I. That Jew shall not dominate Arab and Arab shall not dominate Jew in Palestine

II. That Palestine shall be neither a Jewish state nor an Arab state.

III. That the form of government ultimately to be established, shall, under international guarantees, fully protect and preserve the interests in the Holy land of Christendom and of the Moslem and Jewish Faiths.

The committee explicitly rejected partition and concluded that "now and for some time to come any attempt to establish either an independent Palestinian state or independent Palestinian States would result in civil strife such as might threaten the peace of the world". They accordingly recommended that Palestine should continue to be administered under the Mandate pending the execution of a trusteeship agreement. The committee made no precise recommendation concerning the administrative system or the development of self-governing institutions during the long period of continuing British rule which they envisaged. They made a number of proposals for economic and social development, and recommended the revocation of the Land Transfers Regulations of 1940 and the immediate authorisation of 100,000 immigration certificates, which should be "awarded as far as possible in 1946", actual immigration being "pushed forward as rapidly as conditions will permit."

130. The Report was published in London and Washington on the 30th April. On the evening of that day President Truman issued a statement which read in part as follows:-

"I am very happy that the request which I made for the immediate admission of 100,000 Jews into Palestine has been unanimously endorsed by the Anglo-American committee of Inquiry. The transference of these unfortunate people should now be accomplished with the greatest despatch... I am also pleased that the committee recommends in effect the abrogation of the White Paper of 1939 including existing restrictions on immigration and land acquisition to permit the further development of the Jewish national home. It is also gratifying that the report envisages the carrying out of large scale economic development projects in Palestine which would facilitate further immigration and be of benefit to the entire population. In addition to those immediate objectives the report deals with many other questions of long-range political policies and questions of international law which require careful study and which I will take under advisement."

advance of their general decision on the Report. "The Report", he said, "must be considered as a whole in all its implications". He also stated the Government's conclusions that they were not in a position to give effect to the Report with their own financial and military resources alone, and that the disbandment and disarmament of illegal military formations in Palestine would be an essential precondition to the admission of the 100,000 immigrants.

132. The Report was examined at meetings between British and American officials in London during June and July. The two delegations of officials reached full agreement on the terms of a report to their Governments. Taking as their starting point the third (constitutional) recommendation of the Anglo-American committee quoted in paragraph 129 above, they advocated, as the means for putting this recommendation in to effect, a plan for provincial autonomy.

133. Under this plan, the greater part of Palestine would be divided into an Arab and a Jewish province, the latter including almost the entire area on which Jews had already settled together with a considerable area between and around the settlements. Each province would have an elected legislature and an executive, with a wide range of functions including control over land transfers and the power to limit immigration. Jerusalem and Bethlehem, together with the Negeb (defined as the uninhabited triangle of waste land in the south of Palestine) would remain under the direct control of the Central Government.

134. The Central Government would be administered by the British High Commissioner, with a nominated Executive Council. It would have exclusive authority in questions of defence, foreign relations, customs and excise, and initially in the administration of law and order. It would also have all powers not expressly granted to the provinces.

135. outlining the plan in the House of Commons, Mr. Herbert Morrison claimed that it:

"Would greatly simplify the problem of Jewish immigration into Palestine. Though final control over immigration would continue to rest with the central Government, this control would be exercised on the basis of recommendations made by the Provincial Governments. So long as the economic absorptive capacity of the province was not exceeded, the Central Government would authorise the immigration desired by the Provincial government. It would have no power to authorise the immigration in excess of any limitations proposed by the Provincial Governments. Thus, though the Government of the Arab Province would have full power to exclude Jewish immigrants from its province, the Jewish Province would, normally, be able to admit as many immigrants as its government desired. As part of this plan, the experts suggest that it ~~would~~

136. It was the intention of His Majesty's government that, if agreement could be reached on the basis of this plan, it would be embodied in a trusteeship agreement. In the long run, the way would be left open for development either towards an independent federal State or towards partition. If partition was the outcome, its character would be governed by the provision that the boundaries of the Arab and Jewish Provinces could not be modified except by mutual consent.

137. On the 25th July His Majesty's Government approved in principle the policy recommended by the British and American officials, as a basis for negotiation with Arabs and Jews.

138. The United States government, however, was not prepared to associate itself with this effort to obtain agreement on the basis of the recommendations made by the two delegations of officials.

The London Conference, 1946-47.

139. The States Members of the Arab league, on receiving from His Majesty's government and the United States Government requests for their views on the Report of the Anglo-American Committee, had met in conference at Bludan in Syria. Each of the Arab Governments subsequently addressed to His Majesty's recommendations, a further note containing comments on the committee's recommendations, a further note inviting the British Government to negotiate "for the conclusion of an agreement which will put an end to the present situation in Palestine and transform it into one in conformity with the provisions of the Charter and agreeable with its aims". The Arab Governments further suggested that the conference should be convened in time "to conclude a complete and satisfactory agreement before the next Session of the General Assembly to be held in September, 1946". It had been the intention of His Majesty's Government, in accordance with pledges given at various times, to consult the interested parties before this intention, the Report of the Anglo-American conference of officials provided that its proposals, if adopted by the two Governments "should be presented to Arab and Jewish representatives as a basis for negotiations at a Conference to be convened by the United Kingdom government".

140. Invitations to a Conference in London were issued on 25th July to the Governments of the States Members of the Arab League, to the Jewish Agency for Palestine and to the Palestine Arab Higher Executive. Other prominent Palestinian Arabs, the Secretary General of the Arab League and representatives of Jewish opinion in the United Kingdom and in Palestine were invited subsequently.

invitations.

142. The British Delegation put the provincial autonomy plan before the Conference as the first item from discussion. The Arab Delegates at once made it clear that they were opposed to this plan in principle and could not accept it as a basis for discussion. They criticized many of its features; but was clear that, fundamentally, their rejection of this solution was based on their conviction that any scheme of provincial autonomy would inevitably lead to partition.

143. The British delegation had at the outset stated that His Majesty's Government were not finally committed to the provincial autonomy plan and were willing to consider any alternative proposals which might be put forward. When it became clear that the Arab Delegates were unanimous in their opposition to the provincial plan and were unwilling to discuss it in detail, they were invited to explain what alternative proposals they had for dealing with the problem.

144. In response to this invitation the Arab Delegations propounded their solution*, the main features of which were the following:-

(a) Palestine would be a unitary State with a permanent Arab majority, and would attain its independence as such after a short period of transition (two or three years) under British Mandate.

(b) Within this unitary State, Jews who had acquired Palestinian citizenship (for which the qualification would be ten years' residence in the country) would have full civil rights, equally with all other citizens of Palestine.

(c) Special safeguards would be provided to protect the religious and cultural rights of the Jewish community.

(d) The sanctity of the Holy Places would be guaranteed and safeguards provided for freedom of religious practice throughout Palestine.

(e) The Jewish community would be entitled to a number of seats in the legislative Assembly proportionate to the number of Jewish citizens (as defined) in Palestine, subject to the proviso that in no case would the number of Jewish representatives exceed one third of the total number of members.

(g) The guarantees concerning the Holy Places would be alterable only with the consent of the United Nations; and the safeguards provided for the Jewish community would be alterable only with the consent of a majority of the Jewish Members of the Legislative Assembly.

145. It was the Arab plan that a constitution on these lines should be brought into being during the transition period. The first step would be for the High Commissioner to establish, by nomination, a Provisional government consisting of seven Arabs and three Jews; and this Government would arrange for the election of a constituent Assembly, which would be charged with the task of drawing up, within six months, a detailed constitution consistent with the general principles outlined above. If a constituent consistent to complete its work within the prescribed period of six months, the Provisional government would itself promulgate a constitution. This was intended to ensure that the scheme could proceed even in the face of a Jewish boycott. Subject to the observance of certain wide directives the constitution would not be subject to mandatory veto. When the constitution had been adopted, a Legislative Assembly would be elected and the first Head of the independent Palestine State would be appointed. High commissioner then transfer his authority to the Head of the State, and a Treaty would be concluded defining the future relations between His Majesty's government and the government of Palestine.

146. The Anglo-American Conference was adjourned at the beginning of October, in order to permit certain of the delegates to attend the United Nations General Assembly and the Council of foreign Ministers. The conference did not reassemble until the 27th January.

147. During this recess, the Zionist congress met at Basle, and denounced the plan of provincial autonomy as "a travesty of Britain's obligations under the Mandate", unacceptable even as a basis for discussion. It would prevent the settlement of Jews in the greater part of Palestine, while denying them independence even in the territory allocated to the Jewish Province. The Congress also recorded its opposition to any trusteeship superseding the Mandate and postponing the establishment of the Jewish State. Another resolution declared that the Zionist movement could not "in the existing circumstances" participate in the London conference. The congress re-affirmed its political programme in the following terms:-

- (i) that Palestine be established as a Jewish commonwealth integrated in the structure of the democratic world;
- (ii) that the gates of Palestine be opened to Jewish immigration;

148. When the Anglo-Arab Conference resumed its work in January, 1947, representatives of the Jewish Agency engaged in parallel but informal conversations with His Majesty's government. In the course of these conversations, they put forward three suggestions. In the first place they asked that Palestine should become a Jewish State. They added that, if no decision could yet be taken as to the ultimate status of Palestine, Jewish immigration should be permitted up to the full extent of the country's economic absorptive capacity and no part of the country should be closed to Jewish land purchase and settlement. Finally, they indicated that they would be prepared to recommend acceptance of "a viable Jewish State in an adequate area of Palestine."

149. On the 7th February, 1947, the British Delegation at the Anglo-Arab conference submitted new proposals*, which were also communicated to the Jewish Agency. These provided for a five-year period of British trusteeship over Palestine with the declared object of preparing the country for independence.

150. The proposed terms of trusteeship would include provision for a substantial measure of local autonomy in areas so delimited as to include a substantial majority either of Jews or of Arabs. The High Commissioner would retain responsibility for protecting the minorities in these areas. At the centre, the High Commissioner would endeavour to form a representative Advisory Council. At the end of four years, a Constituent Assembly would be elected. If agreement was reached between a majority of the Arab representatives and a majority of the Jewish representatives in this Assembly, an independent State would be established without delay. In the event of disagreement, the Trusteeship Council of the United Nations would be asked to advise upon future procedure.

151. It was the view of the British Delegation that "Any provisions made for future Jewish immigration must rest upon consideration for the well-being of Palestine as a whole". With this end in view, the trusteeship agreement would provide for the admission of 96,000 Jewish immigrants during the first two years of its operation. Thereafter the rate would be determined, with due regard for the principle of economic absorptive capacity, by the High Commissioner in consultation with his Advisory Council. In the event of disagreement, the final decision would rest with an arbitration tribunal appointed by the United Nations.

152. His Majesty's Government considered that these proposals were consistent with the terms both of the League Mandate and of Article 76 of the United Nations Charter. They also looked forward to an early termination of the trust:

contained in the present memorandum are designed to give the two peoples and opportunity of demonstrating their ability to work together for the good of Palestine as a whole and so providing a stable foundation for an independent State."

153. The latest British proposals were rejected both by the Arab Delegations (which include, at the second part of the London conference, a Delegation representing the Palestine Arab Higher Executive), and by the Jewish Agency for Palestine. Thereupon the Mandatory decided to refer the problem to the United Nations.

Reference to the United Nations

154. This decision was announced to the House of Commons by the Foreign Secretary on the 18th February 1947. In the course of his speech he said:-

"His Majesty's Government have ...been faced with an irreconcilable conflict of principles. There are in Palestine about 1,200,000 Arabs and 600,000 Jews. For the Jews the essential point of principle is the creation of sovereign Jewish State. For the Arabs, the essential point of principle is to resist to the last the establishment of Jewish sovereignty in any part of Palestine. The discussions of the last month have quite clearly shown that there is no prospect of resolving this conflict by any settlement negotiated between the parties. But if the conflict has to be resolved by an arbitrary decision, that is not a decision which His Majesty's Government are empowered, as Mandatory, to take. His Majesty's government have of themselves no power, under the terms of the Mandate, to award the country either to the Arabs or to the Jews, or even to partition it between them.

It is in these circumstances that we have decided that we are unable to accept the scheme put forward either by the Arabs or by the Jews, or to impose ourselves a solution of our own. We have, therefore, reached the conclusion that the only course now open to us is to submit the problem to the judgement of the United Nations. We intend to place before them an historical account of the way in which His Majesty's government have discharged their trust in Palestine over the last twenty-five years. We shall explain that the Mandate has proved to be unworkable in practice, and that the obligations undertaken to the two communities in Palestine have been shown to be irreconcilable. We shall describe the various proposals which have been put forward for dealing with the situation, namely, the Arab Plan, the Zionist's aspirations, so far as we have been able to ascertain them, the proposals of the Anglo-American committee and the various proposals which we ourselves have put forward. We shall then ask the United Nations to

London,
July 1947

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